

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL J. CAPOZZOLI and LEE NAPIER,

Plaintiffs,

v.

CUMULUS MEDIA HOLDINGS, INC.,
WESTWOOD ONE, LLC, TM STUDIOS, INC.,
WILLIAM G. CLANCY, AND KIRK
STIRLAND,

Defendants.

Civil Action No. 1:20-cv-04992-RMB-AMD

Hon. Renee Marie Bumb, presiding
Hon. Ann Marie Donio, referral

Motion Date: September 7, 2021

Oral Argument Requested

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, pursuant to Local Rule 7.1, on September 20, 2021, or as soon thereafter as counsel may be heard, the undersigned attorneys for Defendants Westwood One, LLC, William G. Clancy, and Kirk Stirland (hereinafter collectively "Defendants") shall move for an Order before the Honorable Anne Marie Donio, U.S.M.J, at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, NJ 08101, for the entry of an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, Local Rule 7.1, and this Court's procedures, hereby moves for summary judgment on the claims asserted against them in Plaintiffs Michael J. Capozzoli and Lee Napier's Complaint.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants will rely upon the accompanying memorandum of law and the exhibits attached thereto, all other pleadings and memoranda on file in this matter, and oral argument, if any.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

/s/ Paul C. Lantis

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Attorney for Defendants,

Westwood One, LLC, William G. Clancy, and

Kirk Stirland

Dated: August 19, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of August, 2021, the foregoing document was filed using the United States District Court for the District of New Jersey ECF system, through which this document is available for viewing and downloading, causing a notice of electronic filing to be served upon all counsel of record.

/s/ Aaron J. Cruz
Aaron J. Cruz